

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

SILAS CALHOUN AND EMILY CALHOUN,  
INDIVIDUALLY, AND AS PARENTS AND  
NEXT FRIENDS OF ESTELLA CALHOUN,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

**Civil Action No. 04-10480-RGS**

**STIPULATION OF DISMISSAL AS TO ERIC C. DAUB, M.D.**

Pursuant to the provisions of Fed. R. Civ. P. 41(a)(1)(ii), and in accordance with 28 U.S.C. § 2679(b) and (d), of the Federal Tort Claims Act, the plaintiffs hereby dismiss all of their claims against Eric M. Daub, M.D., and all claims shall be deemed an action against the United States as the party defendant.

Respectfully submitted,

For the Plaintiffs,

Silas and Emily Calhoun, Estella Calhoun,  
By their Attorneys,

For the Defendant,

UNITED STATES OF AMERICA

MICHAEL J. SULLIVAN  
United States Attorney

/s/ Michael S. Appel (By: APG) 4/14/2006  
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Anthony V. Agudelo, BBO# 642260  
Sugarman, Rogers, Barshak & Cohen, P.C.  
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By: /s/ Anton P. Giedt 4/14/2006  
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**CERTIFICATE OF SERVICE**

Suffolk, ss.

Boston, Massachusetts  
DATE: 4/14/2006

I, Anton P. Giedt, Assistant U.S. Attorney, do hereby certify that I have this day served a copy of the foregoing upon the Plaintiffs' Counsel of Record by Electronic Filing.

/s/ Anton P. Giedt  
Anton P. Giedt  
Assistant U.S. Attorney

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